

**Minutes of the Carlisle Board of Health  
December 9, 2014**

Minutes 10/14/2014, 10/28/2014, 11/24/2014

Bills

Administrative Reports

Lyme Disease Subcommittee Chairman – Jean Barry, M. D.

100 Long Ridge Road – Lifetime Green Homes

- Well Monitoring Discussion (Jeff Brem)
- BOH memo to Zoning Board

**DISCUSSION ITEMS**

Noise Complaints – Rutland Street

- Planning Board Policy

Community Preservation Committee – Application

Barn Inspections

Fee Increase Discussion

2014 Barn Inspections

- Clerical Work Analysis
- Unpaid Fees

The meeting was called to order by the Chairman at 7:03 pm at town hall. Present were Board members Bill Risso (Chairman), Lee Storrs, and Todd Thorsen. Absent were Donna Margolies and Catherine Galligan. Also present was Linda Fantasia, Health Agent, and Helen Lyons (Carlisle Mosquito)

**BILLS** – engineering services for November, office supplies and regular payroll. **It was moved (Storrs) and seconded (Thorsen) to approve the bills as presented. Motion passed 3-0-0.**

**MINUTES** – **It was moved (Storrs) and seconded (Thorsen) to approve the minutes of 10/14/14 as amended. Motion passed 3-0-0. It was moved (Thorsen) and seconded (Storrs) to approve the minutes of 10/28/14 as amended. Motion passed 3-0-0. It was moved (Thorsen) and seconded (Storrs) to approve the minutes of 10/28/14 as amended.**

**ADMINISTRATIVE REPORTS**

MassDEP – Email sent to Eric Worrall and Jim Persky of the DEP Drinking Water Program thanking them for meeting with the Board to discuss the water supply for the 100 Long Ridge Road development.

The Board reviewed a “Notice to Installers” reminding them about current and new policies on installations.

DPH sent out an advisory dated 12/5/14 on post-arrival monitoring of travelers returning from countries with Ebola Virus.

“Sister” Towns to use as demographic comparisons to Carlisle: Lincoln, Dover, Wenham, Manchester, Boxboro, Harvard, Littleton, Sherborn.

95 Hanover Road – Conservation Commission issued an Enforcement Order on November 21, 2014 on lack of erosion control. A Non-Criminal Disposition ticket has been filed with the District Court.

**LYME DISEASE SUBCOMMITTEE** – Jean Barry, chairman, appeared before the Board. Barry explained that Tick Borne Disease (TBD) continues to be a significant health risk in the community. The Subcommittee has been looking into various ways of reducing the incidence of disease including personal protection, landscaping techniques, and vector control. The Subcommittee is hosting a panel discussion on deer management on Jan 15<sup>th</sup> to see if there is interest in promoting bow hunting on town and conservation lands to reduce the deer herds in town. Barry will be meeting with the Selectmen later in the evening on the same topic. Barry noted that there is no definitive proof that reducing the deer population will reduce the incidence of TBD, but some nearby towns have

programs that are well supported by their residents, particularly Dover and Weston. The panelists will include the Chairman of the Dover Board of Health, two experts from Fish and Wildlife and a hunter. It would be important to have buy-in from the residents should the town decide to increase hunting. Dover budgets \$1000/yr for its program which includes two agents who monitor licensing. Dover is similar to Carlisle in land area and population. It too has a very high incidence of TBD. The town would charge for the hunting license to offset the operating costs. The town would need criteria for issuing licenses, setting aside specific land areas, and tracking the number of deer taken. The Conservation Commission would need to approve hunting on any conservation land.

**100 LONG RIDGE ROAD (LIFETIME GREEN HOMES)** – Jeff Brem, developer, appeared before the Board. Brem would like to know what the Board would require for monitoring the proposed private wells. A revised plan has been submitted to the Zoning Board, relocating one of the septic systems farther from the property line and addressing some other points raised by Nitsche Engineering, the peer reviewer. At a joint meeting with DEP in November, it was agreed that if the development is not classified as a Public Water Supply (PWS), Brem should work with the Board on testing and monitoring requirements since the Board has authority over private wells.

Risso said he was still concerned about the density of the site which includes 19 new and 1 existing house on 9.34 acres with a private well for every two or three units. He would prefer a PWS which is overseen by the state for site approval, pump testing and ongoing monitoring. Although a PWS requires a Zone I protective area, the state allows the zones to overlap as long as there is a 50' separation between wells. Risso asked about using the existing onsite well which is high producing. Brem explained that it would be difficult to do an accurate pump test since the well is already connected to the house water supply. Brem did not know what the actual flows are for the well. He estimated at least 10 gpm. Brem also noted that it is not possible to locate the necessary Zone I's due to the geometry of the property. He estimated the Zone I at over 250'. Risso noted that Garrison Place has a much smaller Zone I. Brem said he has discarded the idea of separate legal lots with one well per lot. The existing house well will be used for irrigation. The total number of wells being proposed (including the existing well) is eleven.

Brem questioned the Board's request for backup power for the wells. The septic systems will not have back up power and since the systems are dosed there would be no available discharge for water. He is willing to test for coliform bacteria and arsenic or any other general parameters set by the Board.

Storrs asked how the shared wells maintenance would be managed. Brem said it could be spelled out in the permit conditions similar to the way a common driveway special permit is applied. Storrs commented that a common driveway does not involve a potential health issue. Brem said he will use the roof drain systems for discharge of water filtration backwash. The development will also make use of rain gardens and is using low impact development (LID). He has not decided on which septic alternative technologies he will use, possibly a FAST or Bio-Microbic system. These technologies reduce nitrogen in the wastewater from 35 mg/L with standard treatment to 19mg/L following pretreatment. Brem is considering technologies that offer a 6 mg/L result. He will definitely use a drip dispersal system for the leaching area. For the present time, he would like the Board to decide on a well testing and monitoring protocol for the private wells.

Fantasia noted that if the Board wanted to consult with a hydrologist, there is no money to do so. Brem said it should be covered by the peer review fee he paid to Zoning. Fantasia said the consultant hired by ZBA may not have the expertise required. The Board will check to see if they have access to funds for a well specialist.

Ginny Lamere, resident, asked why Brem would not do a PWS. Brem responded that it is not possible to fit the required Zone I because of the lot configuration. Lamere suggested reducing the number of units. Brem gave a brief explanation of the economics of the development and the criteria he needs to meet for Mass. Housing. Economically the project will not work with fewer units.

Board members agreed that the issue of public v. private water supply should be decided before considering testing and monitoring protocols. The Board submitted a summary of the meeting with DEP to ZBA for its next meeting.

## **DISCUSSION ITEMS**

**Noise Complaint – Rutland Street.** Present for the hearing - Ginny Lamere and Lauren Bakewell.

Fantasia explained that the Board had received three complaints from abutters about operation of a ram hoe at the Chestnut Estates development. There is a history of noise complaints concerning the development which involved the extensive use of a ram hoe over the summer months of 2010. The Board eventually was able to negotiate a resolution between the developer and abutters that included noise mitigation measures, a weekly construction schedule submitted to the Building Department and pre-notification to abutters of the ram hoe operation. Following the recent complaints, Fantasia spoke with the Building Inspector who was aware that a ram hoe was being used on Lot 5 for the foundation and septic tank. The complainants had been advised to check with Planning Board which has a new construction noise policy. Unfortunately it was determined by the Planning Board that the policy may not apply to single lot construction, only work on the subdivision infrastructure. The complaints were placed on the Board of Health's agenda for discussion and the abutters were invited to attend. Fantasia had also attempted call the developer, Lou Baldoumas of Rainbow Builders. One number was no longer in services and there was no response to the second call.

Lamere, who had attended a Planning Board meeting the night before, agreed that the Planning Board feels it has no authority to stop the work. They are still waiting for an opinion from town counsel. Lamere and Bakewell had met with the Selectmen about their complaints. They feel that the Building Inspector is favoring the developer. They would like the work to stop immediately until something can be worked out with the developer. They are concerned that the excessive noise will continue for all three of the remaining lots. They believe the developer is using the ram hoe to save money in lieu of blasting. Lamere said ram hoeing should not be the first choice.

The Board agreed that there has been an ongoing history with the development over excessive noise. There may be mitigating measures that could have been done including sound insulating material and vehicle barriers and having a construction schedule to allow neighbors to adjust their exposure time. The Board discussed whether to issue a temporary Cease and Desist order. They were disappointed that the developer had not followed the process agreed to during the previous construction work, particularly abutter notification. The Board agreed that it would want to check with town counsel first about the Order and talk with the developer before issuance.

**It was moved (Storrs) and seconded (Thorsen) to issue a Cease and Desist Order to the Chestnut Estates Development for the removal of ledge contingent upon approval of the Order by town counsel. Motion passed 3-0-0.**

Fantasia will contact the developer again. The Board is willing to hold a special meeting for this purpose as soon as one can be posted or have two members meet unofficially with the developer sooner if that can be arranged.

**Minutes – It was moved (Storrs) and seconded (Thorsen) to approve the minutes of 11/24/14 as amended. Motion passed 3-0-0.**

**Community Preservation Act** – the Board declined to pursue funding.

**Barn Inspections and Fees** – the Board reviewed the list of barns licensed and inspected for 2014. Six owners have not paid the \$25 fee. The Board discussed whether to issue tickets under Non-Criminal Disposition. Fantasia was concerned that town meeting set specific limits on the Board's authority as violations of Title 5 and the State Sanitary Code. Although barn/animal inspections are required by the state, they do not specifically fall under those authorities. Risso said the town supports agriculture. The Board does not want to discourage the keeping of animals which includes domestic chickens raised by a single household. The Board agreed that the cost of clerical time should be paid from the Board's operating account, not the license fee. It would be good to check with town counsel on the best way to enforce the fees. Currently late payers are charged an additional \$10/mo.

Animal Inspectors Larry Sorli and Deb Toher would like to increase the fee of \$25. This is what they are paid to do the (80+) barn inspections. They do not get mileage. The Board agreed to consider the matter with a full Board.

Meeting Schedule: January 6<sup>th</sup> and January 27<sup>th</sup>

Meeting voted to adjourn at 8:45 p.m.

Respectfully submitted,

Linda M. Fantasia  
Recorder